

B1 (Official Form 1) (12/11)

| United States Bankruptcy Court Eastern District of New York | | | | Voluntary Petition | |
|---|--|---|--|---|-------------------------------------|
| Name of Debtor (if individual, enter Last, First, Middle): Hoyt Transportation Corp. | | | Name of Joint Debtor (Spouse) (Last, First, Middle): | | |
| All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): | | | All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): | | |
| Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) /Complete EIN (if more than one, state all): 11-2503361 | | | Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) /Complete EIN (if more than one, state all): | | |
| Street Address of Debtor (No. & Street, City, State & Zip Code): 2620 West 13th Street Brooklyn, NY | | | Street Address of Joint Debtor (No. & Street, City, State & Zip Code): | | |
| ZIPCODE 11223 | | | ZIPCODE | | |
| County of Residence or of the Principal Place of Business: Kings | | | County of Residence or of the Principal Place of Business: | | |
| Mailing Address of Debtor (if different from street address) | | | Mailing Address of Joint Debtor (if different from street address): | | |
| ZIPCODE | | | ZIPCODE | | |
| Location of Principal Assets of Business Debtor (if different from street address above): | | | | | |
| ZIPCODE | | | | | |
| Type of Debtor (Form of Organization) (Check one box.) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) <hr/> Chapter 15 Debtor Country of debtor's center of main interests: <hr/> Each country in which a foreign proceeding by, regarding, or against debtor is pending: <hr/> | | Nature of Business (Check one box.) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other <hr/> Tax-Exempt Entity (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code). | | Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding <hr/> Nature of Debts (Check one box.) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or house- hold purpose." <input checked="" type="checkbox"/> Debts are primarily business debts. | |
| Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. | | | Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment on 4/01/13 and every three years thereafter). <hr/> Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). | | |
| Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. | | | | | THIS SPACE IS FOR COURT USE ONLY |
| Estimated Number of Creditors <input type="checkbox"/> 1-49 <input checked="" type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000 | | | | | |
| Estimated Assets <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input checked="" type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion | | | | | |
| Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input checked="" type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion | | | | | |

| | | | |
|---|---------------|---|--|
| Voluntary Petition <i>(This page must be completed and filed in every case)</i> | | Name of Debtor(s): Hoyt Transportation Corp. | |
| All Prior Bankruptcy Case Filed Within Last 8 Years (If more than two, attach additional sheet) | | | |
| Location Where Filed: None | Case Number: | Date Filed: | |
| Location Where Filed: | Case Number: | Date Filed: | |
| Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet) | | | |
| Name of Debtor: None | Case Number: | Date Filed: | |
| District: | Relationship: | Judge: | |
| Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) <input type="checkbox"/> Exhibit A is attached and made a part of this petition. | | Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. § 342(b). <div style="display: flex; justify-content: space-between; align-items: flex-end;"> X <div style="border-top: 1px solid black; width: 80%;"></div> <div style="border-top: 1px solid black; width: 15%; text-align: center;">Date</div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 5px;"> Signature of Attorney for Debtor(s) </div> | |
| Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No | | | |
| Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) <input type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. | | | |
| Information Regarding the Debtor - Venue (Check any applicable box.) | | | |
| <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. | | | |
| <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. | | | |
| <input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. | | | |
| Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) | | | |
| <input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) | | | |
| _____ (Name of landlord that obtained judgment) | | | |
| _____ (Address of landlord) | | | |
| <input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and | | | |
| <input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. | | | |
| <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)). | | | |

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

Hoyt Transportation Corp.**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only **one** box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Attorney*

X

Signature of Attorney for Debtor(s)

Kevin J. Nash
Goldberg, Weprin, Finkel,
Goldstein, L.L.P.
1501 Broadway, 22nd Floor
New York, NY 10036
(212) 221-5700
KNash@GWFGlaw.com

July 13, 2013

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Chris J. Termini

Printed Name of Authorized Individual

Vice President

Title of Authorized Individual

July 13, 2013

Date

Signature of Non-Attorney Petition Preparer

I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); and 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X

Signature

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re:

Chapter 11

HOYT TRANSPORTATION CORP.,

Case No.

Debtor.
-----X

CORPORATE RESOLUTION

At a special meeting of the shareholders of Hoyt Transportation Corp., (the "Company") held on July 13, 2013, and upon due consent and after motion duly made, seconded and unanimously carried, it is hereby:

RESOLVED, that the Company is authorized and empowered to cause the filing of a petition under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of New York, and that the bankruptcy filing is in the best interests of the Company, its creditors and equity holders; and it is further

RESOLVED, that the Company is authorized to retain the firm of GOLDBERG WEPRIN FINKEL GOLDSTEIN LLP, as counsel for purposes of filing and prosecuting the Chapter 11 case on its behalf.

Dated: Brooklyn, NY
July 13, 2013

HOYT TRANSPORTATION CORP.

By:



Name: Chris J. Termini

Title: Vice President

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X

In re: Chapter 11
HOYT TRANSPORTATION CORP., Case No.
Debtor.

-----X

DECLARATION PURSUANT TO LOCAL BANKRUPTCY RULES

CHRIS J. TERMINI, declares the following under penalties of perjury pursuant to 28 U.S.C. § 1746:

1. I am the vice president of Hoyt Transportation Corp. (the “Debtor”). The Debtor is a corporation organized under the laws of the State of New York, with current offices at 2620 West 13th Street, Brooklyn, NY 11223.

2. This Declaration is filed on behalf of the Debtor in support of its Chapter 11 petition pursuant to Local Rules of this Court.

(A) NATURE OF THE DEBTOR’S BUSINESS

3. For more than three decades, the Debtor operated a successful school bus company, servicing the City of New York, Department of Education (“DOE”). The Debtor specialized in the transportation of students with disabilities throughout the metropolitan area (K-12), and enjoyed long-standing relationships with the DOE, the Debtor’s labor union and its employees, as well as all of its vendors and suppliers.

4. Prior to recent events, the Debtor maintained a total of 307 bus routes, utilizing a fleet of approximately 350 buses. The majority of the Debtor’s routes transported children from the outer boroughs to Manhattan and Westchester.

5. The Debtor employed approximately 675 full-time drivers, attendants/escorts, and support personnel, substantially all of whom were members of the Amalgamated Transit Union 1181-1061, AFL-CIO (Local 1181).

6. As part of its operations, the Debtor was a signatory to a collective bargaining agreement with Local 1181, and a long time contributing employer to the Division 1181 ATU-New York Employee's Pension Fund (the "Pension Fund").

7. In 2012, the Debtor generated total revenues of approximately \$51,000,000 and by all reasonable measures was a model of successful business enterprise. Sadly, however, the dedicated work of more than 30 years has come to an abrupt halt due to political forces beyond the Debtor's control.

(B) MATERIAL EVENTS LEADING UP TO THE BANKRUPTCY

8. The Debtor's most recent school bus transportation contract with DOE expired on June 30, 2013. Over the years, the Debtor received approximately eight prior contract extensions and was hopeful of winning another contract for the upcoming school year.

9. However, the framework of the entire school bus industry changed when the DOE suddenly announced that companies submitting bids were no longer required to maintain long-standing Employee Protection Provisions (EPPs).

10. As a result, the Debtor found itself bidding against companies that were not obligated to utilize union personnel or hire employees from a seniority list. This put the Debtor at a severe competitive disadvantage, and led inevitably to the Debtor's failure to be awarded another contract.

11. During the last year or so, tension developed between City Hall and the Union when the new bidding requirements, suddenly issued in December 2012, did not include

EPP provisions. This change triggered a school bus strike in early 2013, and left hard feelings throughout the industry. Unfortunately, the Debtor was collateral damage in the cross-fire between City Hall and the Union.

12. Historically, to maintain stability in the New York City school bus industry, an agreement was reached in 1979, dubbed the “Mollen Agreement,” under which all City school bus contractors were obligated to employ union employees and contribute to the union pension fund on their behalf. Additionally, the Mollen Agreement further provided that all new contractors receiving bids were required to hire workers off a Master seniority list and continue to contribute to the union pension fund on their behalf. This arrangement was designed to ensure continuity of employment for union workers despite any changeover in contractors.

13. The Debtor has been active in the school bus industry since the advent of the Mollen Agreement, and developed a highly unionized work force as a result of its adherence to the EPP requirements. As a result, the Debtor’s cost of labor was high, which up until recent months was not an impediment to profitability because the Debtor’s competitors were likewise subject to the same EPP requirements. This all changed when the DOE eliminated all the EPP requirements.

14. Furthermore, as an outgrowth of the EPP dominant school bus industry, the Debtor and other employers received a special exemption from normal ERISA withdrawal liability rules beginning in 1983. In light of the EPP, the PBGC found there was sufficient continuity and stability to the pension contribution base, because even if a particular employer ceased having an obligation to contribute to the Pension Fund, the incoming employer would still have an obligation to contribute to the Pension Fund.

15. The EPP provisions and related special exemption were an integral part of the development of the Debtor's business since 1983. In fact, the Debtor hired hundreds of employees at premium labor rates in reliance on the continuity of the EPP requirements and the special withdrawal liability exemption.

16. The Debtor obtained and accepted a renewal of its last contract in the belief and expectation that the exemption from withdrawal liability would continue.

17. However, in response to the change in the bid process by the DOE, the Pension Fund revoked the withdrawal liability special exemption that guided the Debtor's business for the last 30 years.

18. The revocation of the withdrawal liability was made effective April 16, 2013, and had the negative impact of suddenly exposing the Debtor to a multi-million dollar withdrawal liability that never previously existed, and stripping the Debtor of an important contract benefit that it had relied upon in the operation of its business.

(C) Goals of the Chapter 11 Case

19. The Debtor views Chapter 11 as the most efficient avenue to preserve all of its legal and financial options while it addresses a myriad of competing interests and claims.

20. To begin with, the Debtor is challenging the actions of the DOE and has filed an Article 78 proceeding in the Supreme Court, New York, County (Index No. 100741-2013). The Debtor has moved for a preliminary injunction seeking to enjoin the DOE from entering into a contract to replace the Debtor's routes based upon a flawed bidding process. A decision on the motion for a preliminary injunction is pending, although the Debtor was unable to obtain a temporary restraining order.

21. Accordingly, the Debtor must attend to preparation for a final closing of its business in the event of an adverse ruling on the Article 78 petition. In that regard, the Debtor has terminated substantially all of its employees as of June 28, 2013. At the time, the Debtor was current with all of its billed pension obligations.

22. Historically, much of the Debtor's work force is furloughed during the summer months. However, absent injunctive relief, because the Debtor's routes have already been awarded to another company, the employees will not be brought back to work and the Debtor will be forced to liquidate its assets under Chapter 11.

23. Additionally, the provisions of the Bankruptcy Code also allow the Debtor the best means to contest the resulting labor obligations. In fact, the Chapter 11 petition is being filed within 90 days of the effective date of the revocation of the withdrawal liability exemption to preserve rights to challenge the validity of the Pension Fund's actions under the avoidance powers of the Bankruptcy Code.

(D) Other Information Required Pursuant To Local Bankruptcy Rule 1007-4

24. Pursuant to Local Bankruptcy Rule 1007-4(a)(i), the debtor is not a small business.

25. Pursuant to Local Bankruptcy Rule 1007-4(a)(ii) the nature of the Debtor's business is set forth in above.

26. Local Bankruptcy Rule 1007-4(a)(iii) is not applicable because this Chapter 11 Case was not originally commenced under chapter 7, 12 or 13.

27. Pursuant to Local Bankruptcy Rule 1007-4(a)(iv), no committee of creditors was formed prior to the Chapter 11 Case.

28. Pursuant to Local Bankruptcy Rule 1007-4(a)(v), a list of the names and addresses of the holders of the Debtor's 20 largest general unsecured claims is included as part of the petition. This list includes the amount of the claim, the nature of the claim (i.e., trade debt, real property lease, etc.) and, if appropriate, an indication of whether such claim is contingent, unliquidated, disputed or partially secured.

29. Pursuant to Local Rule 1007-4(a)(vi), the Debtor's pre-petition secured obligations relate to a series of purchase money notes issued by Sovereign Bank to finance acquisition of segments of the Debtor's school bus fleet. The various notes aggregate approximately \$3,309,581, and have different maturity dates and interest rates. Generally, however, the notes mature over the next three years, and bear interest at a range of 4.09% to 5.47%.

30. Pursuant to Local Bankruptcy Rule 1007-4(a)(vii), a summary of the Debtor's assets and liabilities will be filed in connection with the filing of a complete set of schedules and the statement of financial affairs within the next 15 days.

31. No shares of stock, debentures or other securities of the Debtor are publicly held.

32. Pursuant to Local Bankruptcy Rule 1007-4(a)(ix), no property of the Debtor is in the possession or custody of any custodian, public officer, mortgagee, pledgee, assignee of rents or secured creditor.

33. Pursuant to Local Bankruptcy Rule 1007-4(a)(x), a list of the Debtor's various leased premises is set forth below:

| Landlord | Location | Rent |
|--------------------|--|-------------|
| Logan Amusement | Neptune Ave. & W. 19th St., Brooklyn | \$3,050.00 |
| Tet Real Estate | 2620 West 13th Street, Brooklyn | \$5,000.00 |
| Kaycee Jr. Entr. | West 13th St. & Stillwell Ave., Brooklyn | \$8,206.50 |
| Randall Properties | 1271 Randall Avenue, Bronx | \$14,168.00 |
| Quadrozzi Realty | Cropsey Avenue, Brooklyn | \$15,043.50 |
| Camey of NY LLC | Stillwell Avenue, Brooklyn | \$4,250.00 |
| IC Land LLC | 380 South Chelsea, Staten Island | \$1,200.00 |
| Georgallis | Spofford Avenue, Bronx | \$11,000.00 |

34. Pursuant to Rule 1007-4(a)(xii), a list of all the pending actions in which the Debtor is a party is included as part of the petition.

35. Pursuant to Rule 1007-4(a)(xiii), the business of the Debtor is managed by members of the Termini family, primarily myself, my father Joseph Sr., my brother Joseph Jr., and my sister Karen. Our current weekly salaries were approximately \$4,000 per week, and my father, who is the majority shareholder, earned approximately \$8,000 per week. These salaries will be adjusted downwards during the Chapter 11 case.

36. Pursuant to Rule 1007-4(a)(xiv), the estimated gross amount of weekly payroll (exclusive of officers, directors and members) for the thirty (30) day period following the commencement of this Chapter 11 case will be approximately \$7,000 per week unless the situation improves.

REORGANIZATION STRATEGY

37. In many respects, the Debtor's final exit strategy will depend on the outcome of the pending Article 78 proceeding. A decision is expected by the end of the summer, if not sooner.

38. In the meantime, the Debtor will explore the possibility of obtaining new routes, while it also pursues resolution of its union-related obligations. Even if the Article 78 litigation is unsuccessful, the Debtor still believes that Chapter 11 affords it the best opportunity to sell its assets at going concern values in furtherance of a liquidating plan and provide the most efficient forum to resolve the claims sure to arise in the wake of the Debtor's inability to continue ongoing operations.

Dated: Brooklyn, NY
July 13, 2013


CHRIS J. TERMINI

**United States Bankruptcy Court
Eastern District of New York**

IN RE:

Case No. _____

Hoyt Transportation Corp.

Chapter **11**

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS


Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

| (1) Name of creditor and complete mailing address including zip code | (2) Name, telephone number and complete mailing address, including zip code, of employee, agent or department of creditor familiar with claim who may be contacted | (3) Nature of claim (trade debt, bank loan, government contract, etc.) | (4) Indicate if claim is contingent, unliquidated, disputed or subject to setoff | (5) Amount of claim (if secured also state value of security) |
|---|--|---|---|--|
| Division 1181 A.T.U. - New York Employees Pension Fund 101-49 Woodhaven Blvd. Ozone Park, NY 11416 | | | Unliquidated Disputed | 5,500,000.00 |
| Local 1181-1061 ATU AFL-CIO 101-49 Woodhaven Boulevard Ozone Park, NY 11416 | | | Unliquidated Disputed | 3,400,000.00 |
| NYC Dept Of Education 44-36 Mount Veron Boulevard Long Island City, NY 11101 | | | Unliquidated | 1,269,000.00 |
| Greenberg Traurig LLP 200 Park Avenue New York, NY 10166 | | | Unliquidated | 115,925.74 |
| NY City Department Of Finance Bankruptcy Unit 340 Adams Street, 10th Floor Brooklyn, NY 11201 | | | Unliquidated | 79,000.00 |
| New York State Insurance Fund Workers Compensation P.O. Box 5262 Binghamton, NY 13902 | | | Unliquidated | 69,218.60 |
| Local 1181-1061 ATU AFL-CIO 101-49 Woodhaven Boulevard Ozone Park, NY 11416 | | | Unliquidated | 62,000.00 |
| BP PO Box 70887 Charlotte, NC 28272 | | | Unliquidated | 61,284.42 |
| Wex Bank PO Box 6293 Carol Stream, IL 60197 | | | Unliquidated | 51,172.92 |
| Bonamassa Maietta & Cartelli, LLP 9001 Fifth Avenue Brooklyn, NY 11209 | | | Unliquidated | 50,000.00 |
| American Express PO Box 981535 El Paso, TX 79998 | | | Unliquidated | 35,000.00 |
| Cropsey Land PO Box 920179 Arverne, NY 11692 | | | Unliquidated | 15,043.53 |
| Randall Properties 8 Redmond Lane Oyster Bay Cove, NY 11771 | | | Unliquidated | 14,168.00 |

| | | |
|--|--------------------------|-----------|
| Wex Bank PO Box 6293 Carol Stream, IL 60197 | Unliquidated | 12,738.54 |
| Georgallas 750 Drake Street Bronx, NY 10474 | Unliquidated | 11,000.00 |
| New York Transmission Group 154-05 Northern Blvd. Flushing, NY 11354 | Unliquidated | 10,830.57 |
| NY City Department Of Finance Bankruptcy Unit 340 Adams Street, 10th Floor Brooklyn, NY 11201 | Unliquidated | 5,000.00 |
| TET Realty 31 Bay Street Brooklyn, NY 11231 | Unliquidated | 5,000.00 |
| Camey Of NY LLC 432 Fawns Run Morganville, NJ 07751 | Unliquidated | 4,250.00 |
| C.A.D.I. Auto Parts, Inc. 25 Mill Pond Parkway Monroe, NY 11223 | Unliquidated Disputed | 3,344.82 |

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, [the president *or* other officer *or* an authorized agent of the corporation][*or* a member *or* an authorized agent of the partnership] named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date: July 13, 2013Signature: Chris J. Termini, Vice President

(Print Name and Title)

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re:

Chapter 11

HOYT TRANSPORTATION CORP.,

Case No.

Debtor.
-----X

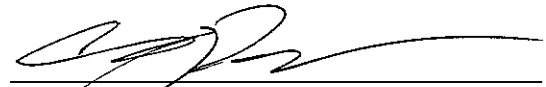
LIST OF EQUITY HOLDERS

| <u>Name</u> | <u>Percentage Interest</u> |
|------------------------|----------------------------|
| Joseph S. Termini, Sr. | 34% |
| Joseph S. Termini, Jr. | 22% |
| Karen E. Salpas | 22% |
| Chris J. Termini | 22% |

Dated: Brooklyn, NY
July 13, 2013

HOYT TRANSPORTATION CORP.

By:



Name: Chris J. Termini
Title: Vice President

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X

In re:

Chapter 11

HOYT TRANSPORTATION CORP.,

Case No.

Debtor.

-----X

LIST OF PENDING LAWSUITS

1. In the Matter of the Application of HOYT TRANSPORTATION CORP et. al. v. THE NEW YORK CITY DEPARTMENT OF EDUCATION et. al.
Supreme Court of the State of New York, New York County
Index No. 100741/2013

Attorney for Plaintiffs/Petitioners: Michael A. Berlin, Esq.
GREENBERG TRAURIG, LLP
54 State Street, 6th Floor
Albany, NY 12207
Tel. 518-689-1444

Attorney for Defendants/Respondents: New York City Corporation Counsel
100 Church Street, Room 4-313
New York, NY 10007
Tel. 212-356-1140

Scope: Article 78 Proceeding to challenge the changes in the DOE's Request for Bids that eliminated all EPP protections.

2. Paulsen v. All American School Bus Corp. et. al.
U.S. District Court, Eastern District of New York
Case No. 13-CV-03762

Attorney for Plaintiff: Annie Hsu
National Labor Relations Board
2 MetroTech Center, Suite 5100
Brooklyn, NY 11201
Tel. 718-330-7731

Attorneys for Defendants: Jeffrey D. Pollack
Mintz & Gold LLP
470 Park Avenue South
New York, NY 10016
Tel. 212-696-4848

Richard Milman
Milman Labuda Law Group PLLC
3000 Marcus Avenue, Suite 3w8
New Hyde Park, NY 11042
Tel. 516-328-8899

Scope: Action for injunctive relief against a group of employers in school bus industry relating to whether the parties reached an impasse following December 31, 2012 expiration of last collective bargaining agreement.

3. Bostick v. Hoyt Transportation Corp.
Supreme Court of the State of New York, Westchester County
Index No. 005416/2011
Attorney for Plaintiff: Worby Groner Edelman LLP
11 Martine Avenue, Penthouse
White Plains, NY 10606
Tel. 914-686-3700

Attorney for Defendant: Pro Se

Scope: Personal injury – subject to DOE coverage

4. Hood v. Hoyt Transportation Corp.
Supreme Court of the State of New York, New York County
Index No. 104399/2011
Attorney for Plaintiff: Mark L. Lubelsky & Assoc.
123 West 18th Street, 8th Floor
New York, NY 10011
Tel. 212-242-7480

Attorney for Defendant: Daniel J. Sweeney & Associates
941 North Broadway, 2nd Floor
White Plains, NY 10603
Tel. 914-358-1220

Scope: Personal injury – subject to DOE coverage

5. Rhymes v. Hoyt Transportation Corp.
Supreme Court of the State of New York, Kings County
Index No. 025359/2011
Attorney for Plaintiff: Friedman and Simon
333 Jericho Turnpike
Jericho, NY 11753

Attorney for Defendants: Gallo, Vitucci & Klar
90 Broad Street, 3rd Floor
New York, NY 10004
Tel. 212-683-7100

Nancy L. Isserlis
36-01 43rd Avenue
Long Island City, NY 11101
Tel. 718-361-1514

Scope: Personal injury – subject to DOE coverage

6. Cappuccio v. Hoyt Transportation Corp.
Supreme Court of the State of New York, Bronx County
Index No. 309735/2009
Attorney for Plaintiff: Kafko Schnitzer, LLP
7 Hugh Grant Circle, Suite 1
Bronx, NY 10462
Tel. 718-319-8902

Attorney for Defendants: Quirk & Bakalor PC
845 Third Avenue, 15th Floor
New York, NY 10022
Tel. 212-319-1000

Freiman Acker, LLP
1500 Broadway, 21st Floor
New York, NY 10036
Tel. 646-553-1900

Scope: Personal injury – subject to DOE coverage

7. Gutierrez v. Hoyt Transportation Corp.
Supreme Court of the State of New York, Bronx County
Index No. 350058/2009
Attorney for Plaintiff: Tolmage, Peskin & Assoc.
20 Vesey Street, Suite 700
New York, NY 10007
Tel. 212-964-1390

Attorney for Defendant: Schnader, Harrison & Assoc.
140 Broadway, Suite 3100
New York, NY 10005
Tel. 212-973-8000

Scope: Personal injury – subject to DOE coverage

8. Rodriguez v. Hoyt Transportation Corp.
Supreme Court of the State of New York, Bronx County
Index No. 304262/2011
Attorney for Plaintiff: Zaremba, Brownell & Brown, PLLC
40 Wall Street, 27th Floor
New York, NY 10005
Tel. 212-380-6700

Attorney for Defendant: Wilson, Elser, Moskowitz, LLP
3 Gannett Drive
White Plains, NY 10604
Tel. 914-323-7000

Scope: Personal injury – subject to DOE coverage

9. Perkins-Peacock v. Hoyt Transportation Corp.
Supreme Court of the State of New York, Kings County
Index No. 029025/2008
Attorney for Plaintiffs: Bonina & Bonina
16 Court Street, Suite 1600
Brooklyn, NY 11241
Tel. 718-522-1786

Dinkees & Schwitzer
112 Madison Avenue, 10th Floor
New York, NY 10016
Tel. 212-683-3800

Attorney for Defendant: Lewis, Brisbois, Bisgaard & Smith
77 Water Street
New York, NY 10005
Tel. 646-783-0962

Scope: Personal injury – subject to DOE coverage

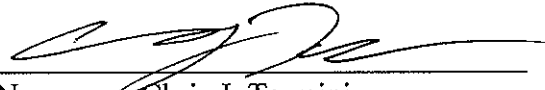
10. Simmons v. Hoyt Transportation Corp.
Supreme Court of the State of New York, Kings County
Index No. 014768/2012
Attorney for Plaintiff: Cherny & Podolsky, PLLC
8778 Bay Parkway, Suite 202
Brooklyn, NY 11214
Tel. 718-449-5100

Attorney for Defendant: O'Connor O'Connor Hintz
One Hunting Quadrangle, Suite 3C01
Melville, NY 11747
Tel. 631-777-2330

Scope: Personal injury – subject to DOE coverage

Dated: Brooklyn, New York
July 13, 2013

HOYT TRANSPORTATION CORP.

By: 
Name: Chris J. Termini
Title: Vice President

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re:

Chapter 11

HOYT TRANSPORTATION CORP.,

Case No.

Debtor.

-----X

RULE 7.1 CORPORATE OWNERSHIP STATEMENT

Pursuant to Federal Rule of Civil Procedure 7.1, Hoyt Transportation Corp. (the “Debtor”), certifies that it is a private non-governmental party, and has no corporate parent, affiliates and/or subsidiaries which are not publicly held.

Dated: Brooklyn, NY
July 13, 2013

HOYT TRANSPORTATION CORP.

By:


Name: Chris J. Termini
Title: Vice President

United States Bankruptcy Court
Eastern District of New York

IN RE:

Case No. _____

Hoyt Transportation Corp.

Chapter 11

Debtor(s)

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s) or attorney for the debtor(s) hereby verify that the attached matrix (list of creditors) is true and correct to the best of their knowledge.

Date: July 13, 2013

Debtor



Joint Debtor

Attorney for Debtor

ADRIA SIMMONS
C/O CHERNY & PODOLSKY PLLC
8778 BAY PARKWAY SUITE 202
BROOKLYN NY 11214

ALL POINTS BUS INC
234 N FEHR WAY
BAY SHORE NY 11706

ALLIANCE HEALTH & SAFETY SERVICE INC
PO BOX 3210
FARMINGDALE NY 11735

AMERICAN EXPRESS
PO BOX 981535
EL PASO TX 79998

ANGEL RHYMES
C/O FRIEDMAN AND SIMON
333 JERICHO TPKE
JERICHO NY 11753

BANK OF AMERICA
PO BOX 982238
EL PASO TX 79998

BECKY PERKINS-PEACOCK
C/O BONINA & BONINA
16 COURT STREET SUITE 1600
BROOKLYN NY 11241

BONAMASSA MAIETTA & CARTELLI LLP
9001 FIFTH AVENUE
BROOKLYN NY 11209

BP
PO BOX 70887
CHARLOTTE NC 28272

BRONX GLASS & LIGHTS CORP
1353 RANDALL AVENUE
BRONX NY 10474

CADI AUTO PARTS INC
25 MILL POND PARKWAY
MONROE NY 11223

CAMEY OF NY LLC
432 FAWNS RUN
MORGANVILLE NJ 07751

CHASE BANK NA
PO BOX 78101
PHOENIX AZ 85062

CINTAS CORPORATION
PO BOX 630803
CINCINNATI OH 45263

CROPSEY LAND
PO BOX 920179
ARVERNE NY 11692

CROWN TOWING SERVICE INC
1615 MCDONALD STREET
BRONX NY 10461

CUSTOM WRECKERS INC
2481 MCDONALD AVENUE
BROOKLYN NY 11231

DRS
PO BOX 3224
FARMINGDALE NY 11735

DEREK BOSTICK
C/O WORBY GRONER EDELMAN LLP
11 MARTINE AVENUE PENTHOUSE
WHITE PLAINS NY 10606

DIVISION 1181 ATU - NEW YORK
EMPLOYEES PENSION FUND
101-49 WOODHAVEN BLVD
OZONE PARK NY 11416

EVERBANK COMMERCIAL FINANCE INC
PO BOX 911608
DENVER CO 80291

EZ-PASS VIOLATIONS
PO BOX 15186
ALBANY NY 12212

FLOSSIE CAPPUCCICO
C/O KAFKO SCHNITZER LLP
7 HUGH GRANT CIRCLE SUITE 1
BRONX NY 10462

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NEW YORK NY 10166

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INTERNAL REVENUE SERVICE
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625 FULTON STREET
BROOKLYN NY 11201

JACOB MARTIN HOOD
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123 WEST 18TH STREET 8TH FL
NEW YORK NY 10011

JOSEPH TERMINI SR
187 BEACH 136TH STREET
BELLE HARBOR NY 11694

KAYCEE JR ENTERPRISES LLC
2620 WEST 13TH STREET
BROOKLYN NY 11223

KRISTAL AUTO MALL
5200 KINGS HIGHWAY
BROOKLYN NY 11234

LENA TERMINI
C/O CHRIS TERMINI
188 BACHE AVENUE
STATEN ISLAND NY 10306

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PO BOX 8026
CEDAR RAPIDS IA 52409

LOCAL 1181-1061 ATU AFL-CIO
101-49 WOODHAVEN BOULEVARD
OZONE PARK NY 11416

LOGAN AMUSEMENT
34 DENTON AVENUE
EAST ROCKAWAY NY 11518

MEP AUTOMOTIVE WAREHOUSE
122 SCHOOL STREET
YONKERS NY 10701

NEW YORK CITY DEPARTMENT OF EDUCATION
44-36 VERNON BLVD
LONG ISLAND CITY NY 11101

NEW YORK STATE INSURANCE FUND
WORKERS COMPENSATION
PO BOX 5262
BINGHAMTON NY 13902

NEW YORK TRANSMISSION GROUP
154-05 NORTHERN BLVD
FLUSHING NY 11354

NLRB/LOCAL 1181-1061 ATU
C/O ANNIE HSU
2 METROTECH CENTER SUITE 5100
BROOKLYN NY 11201

NORTHEAST BATTERY
240 WASHINGTON STREET
AUBURN NY 01501

NY CITY DEPARTMENT OF FINANCE
BANKRUPTCY UNIT
340 ADAMS STREET 10TH FLOOR
BROOKLYN NY 11201

NYC DEPT OF EDUCATION
44-36 MOUNT VERON BOULEVARD
LONG ISLAND CITY NY 11101

NYS DEPT OF TAXATION
BANKRUPTCY/SPECIAL PROCEDURE
POBOX 5300
ALBANY NY 12205-0300

PITNEY BOWES GLOBAL FINANCIAL SERVICES
ATTN: BOX 371887
500 ROSS STREET SUITE 154-0470
PITTSBURGH PA 15262

QUADROZZI REALTY
PO BOX 920179
ARVERNE NY 11692

RANDALL PROPERTIES
8 REDMOND LANE
OYSTER BAY COVE NY 11771

RMK DISTRIBUTORS INC
2373 MCDONALD AVENUE
BROOKLYN NY 11223

SAND AUTOMOTIVE WAREHOUSE
59 15TH STREET
BROOKLYN NY 11215

SANITATION SALVAGE CORP
421 MANIDA STREET
BRONX NY 10474

SARAD INC
165 WILLIAMS AVENUE
BROOKLYN NY 11207

SEFERIANA GUTIERREZ
C/O TOLMAGE PESKIN & ASSOC
20 VESEY STREET SUITE 700
NEW YORK NY 10007

SOVEREIGN BANK
3 HUNTINGTON QUADRANGLE
MELVILLE NY 11747

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ALLENWOOD NJ 08720-0071

TET REALTY
31 BAY STREET
BROOKLYN NY 11231

VIKING SANITATION INC
PO BOX 60
BERKELEY HEIGHTS NJ 07922

WEX BANK
PO BOX 6293
CAROL STREAM IL 60197

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